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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/648,595	08/25/2003	Richard Harvey	063170.6609	4259
5073	7590	06/15/2007		
BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			EXAMINER LEWIS, ALICIA M	
			ART UNIT 2164	PAPER NUMBER
			NOTIFICATION DATE 06/15/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	Application No. 10/648,595	Applicant(s) HARVEY ET AL.	
	Examiner Alicia M. Lewis	Art Unit 2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.



**SAM RIMELL  
PRIMARY EXAMINER**

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

This office action is responsive to communication filed April 5, 2007. Claims 15 and 16 have been added. Therefore, claims 1-16 are pending in this application.

#### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-16 are rejected under 35 U.S.C. 101 because the claimed invention lacks patentable utility. The invention described in claims 1-16 does not appear to have any use nor is it being used for anything. Therefore claims 1-16 are rejected as not producing a useful result.

Furthermore, claims 1-16 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims are just a set of objects that do not change or add functionality to a computer. Therefore, the claims are rejected as being an abstract idea, directed solely to non-functional descriptive material.

Claims 1-7 and 15 are directed to a method for use in a web services arrangement. This claimed subject matter lacks a practical application of a judicial exception (law of nature, abstract idea, naturally occurring article/phenomenon) since it fails to produce a useful, concrete and tangible result.

Specifically, the claimed subject matter does not produce a tangible result because the claimed subject matter fails to produce a result that is limited to having real world value rather than a result that may be interpreted to be abstract in nature as, for

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example, a thought, a computation, or manipulated data. More specifically, the claimed subject matter provides for arranging objects under other objects. This produced result remains in the abstract and, thus fails to achieve the required status of having real world value.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Murto et al. (US Patent Application Publication 2004/0213409 A1) ('Murto').

With respect to claims 1 and 8, Murto teaches:

arranging user object(s) under a repository layer comprising one or more repository objects collectively forming a prefix, each user object representing a web services account (Figures 4 and 4A, paragraphs 12, 94, 147 and 169);

arranging business entity object(s) under user object(s) (Figure 4A, paragraphs 59-60 and 116-121); and

arranging corresponding tModel object(s) under at least one of user object(s), repository object and prefix (paragraphs 59, 61 and 63).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-7 and 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murto et al. (US Patent Application Publication 2004/0213409 A1) ('Murto') in view of Gadbois et al. (US Patent Application Publication 2004/0002955 A1) ('Gadbois').

With respect to claims 2 and 9, Murto teaches claims 1 and 8.

Murto does not teach arranging publisher assertion object(s) under business entity object(s).

Gadbois teaches information model mapping with shared directory tree representations (see abstract), in which he teaches arranging publisher assertion object(s) under business entity object(s) (elements 222, 224, 252, 254, 282 and 284 in Figure 2, paragraphs 28-29).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Murto by the teaching of Gadbois because

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arranging publisher assertion object(s) under business entity object(s) would enable an efficient means of recording and publishing assertions regarding business organization relationships (peer-to-peer, parent-subsidary, etc.) by different business organizations or their authorized publishing entities and an efficient means of managing publisher assertions (Gadbois, paragraph 4). It would ultimately enable an efficient means to manage relationships between business organizations included in the UDDI registry, thereby enhancing Murto's invention by providing more functionality to the registry service.

With respect to claims 3 and 10, Murto as modified teaches further comprising providing service projection object(s) under business entity object(s) (Gadbois, elements 222, 224, 242, 243, 244, 272 and 274 in Figure 2, paragraph 28).

With respect to claims 4 and 11, Murto as modified teaches wherein the service projection object(s) is implemented as an alias (Gadbois, elements 242, 243, 244, 245 and 246 in Figure 2, paragraphs 28 and 29).

With respect to claims 5 and 12, Murto as modified teaches further comprising first field(s) as attributes of publisher assertion object(s) (Gadbois, elements 254 and 284 in Figure 2, paragraph 33).

Gadbois teaches that publisher assertion names (PublisherAssertion1 and PublisherAssertion2) and publisher names (Publisher1 and Publisher2) are attributes of publisher assertion object(s).

With respect to claims 6 and 13, Murto as modified teaches further comprising representing a keyed reference by an auxiliary class (Gadbois, paragraphs 38-39).

Gadbois discloses that a fromKey, toKey, and keyedReference are all included when publisher assertions are added to a directory information tree (DIT). One having ordinary skill in the art recognizes that these included attributes represent an auxiliary class because they are added to publisher assertion objects instances rather than to the entire class of objects.

With respect to claims 7 and 14, Murto as modified teaches further comprising providing a distinguished name of an object revealing a chain of ownership and control for the object (Gadbois, Figure 2, paragraphs 27-29).

With respect to claims 15 and 16, Murto as modified teaches storing the arrangement of user objects, one or more repository objects, business entity objects, and tmodel objects in a registry accessible to one or more users of web services (Gadbois, paragraphs 23-25).

***Response to Arguments***

6. Applicants' arguments filed April 5, 2007 have been fully considered but they are not persuasive. Applicants argue that claims 1-14 are directed to statutory subject matter because each claim produces a useful, concrete, and tangible result. Examiner disagrees. Claims 1-14 are just a set of objects that do not change or add functionality to a computer, and seem to be directed to non-functional descriptive material.

Furthermore, the claims lack utility because the invention does not appear to have any use, thus there is no useful result. Lastly, the arranging of objects under other (user, repository) objects does not produce a tangible result having real world value. The result produced in the claims is merely the manipulation of data and is abstract in nature. Thus the claims do not produce a useful, concrete and tangible result.

7. Applicants also argue that Murto does not teach or suggest every element in claim 1, such as "arranging user objects under a repository layer comprising one or more repository objects collectively forming a prefix" and "arranging business entity objects under user objects." Examiner disagrees. Murto teaches, as seen in Figures 4 and 4A, an arrangement of user objects (profiles) under a repository layer (server) comprising one or more repository objects collectively forming a prefix. Murto teaches in paragraph 147 that Figure 4 discloses an exemplary knowledge engine server arranged as an object model, which groups programs into components (objects). Furthermore, he teaches that Figure 4A is a more detailed diagram of the server, which shows the user profiles (objects), which represent web services accounts (paragraph 12), arranged under the server.



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8. Murto further teaches arranging business entity objects under user objects (paragraphs 116-121). Paragraphs 116-118 disclose that the search handle with appended locator handle is stored in the user profile along with the UDDI search strategy, including business entity object(s). Figure 4A shows that user search handles and UDDI search strategies (which include business entity objects) are arranged under the user objects (profiles).

9. In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation is found in the reference themselves. Gadbois teaches in paragraph 21 that Figure 1 provides a diagram of an information processing network for providing a registry service such as a UDDI business registry. Murto 's invention is directed to using a mobile device to discover Internet businesses and services by accessing the UDDI registry using a user's location. Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Murto by Gadbois to enable an efficient means to manage relationships between business organizations included in the UDDI registry, thereby enhancing Murto's invention by providing more functionality to the registry service.

***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alicia Lewis  
June 6, 2007

  
**SAM RIMELL**  
**PRIMARY EXAMINER**